IN THE UNITED STATES PATENT AND TRADEMARK OFFICE e Patent Application of ONGBOTTOM ET AL. Atty. Ref.: 620-451 10/589,872 Group: Unknown Serial No. Filed: August 18, 2006 Examiner: Unknown METHOD, APPARATUS AND KIT FOR BREATH For: **DIAGNOSIS** March 22, 2007 Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Sir: INFORMATION DISCLOSURE STATEMENT \boxtimes 1. PTO-1449 Pursuant to 37 CFR 1.97(b) [within 3 months of filing or prior to 1st Office Action on the merits] N/C 2.(a) Statement Pursuant to 37 CFR 1.97(c) [before Final Office Action or Allowance (requires Rule 97(e) Statement or Rule 17(p) fee)] N/C

2 .(b)

3.

Fee Payment Pursuant to 37 CFR 1.97(c) [before Final Office Action or Allowance (requires Rule 97(e) \$180.00 Statement or Rule 17(p) fee)] Pursuant to 37 CFR 1.97(d) [after Final Office Action or Allowance (requires Rule 97(e) Statement and Rule 17(p) fee), but before final fee payment] \$180.00 LONGBOTTOM ET AL. Serial No. 10/589,872

The following are submitted in the above-identified application in compliance with 37 C.F.R. §§ 1.97 and 1.98:

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	4.	A list of documents on Form PTO-1449 together with copies of each identified document and a translation or a concise explanation of each non-English language document (such as a Search Report) is enclosed herewith.					
This p	paper	is sub	mitted in accordance with:				
	5.	37 C	CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]				
	6.	37 C and	CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier];				
		a)	The required Statement made in item 8 below; or				
		b)	The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 9 below.				
	7.	37 CFR §1.97(d): [after Final Office Action or Allowance (requires Rule Statement and Rule 17(p) fee), but before final fee payment]; and					
		a)	The fee (\$180.00) required by 37 CFR §1.17(p) is submitted herewith; and				
		b)	The required Statement is stated in item 8 below.				
	8.	Stat	ement under 37 CFR 1.97(e)				
		a)	The undersigned attorney of record hereby certifies under 37 C.F.R. §1.97(e) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (each item contained in this IDS was the first citation of that item by a foreign patent office in a counterpart foreign application which occurred no more than three months prior to the filing of this IDS); or				
		b)	No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement, after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.				

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9. Please charge all deficiency fees associated with the submission of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 14-1140. An original and one (1) copy of this document are enclosed.

Respectfully submitted, NIXON & VANDERHYE P.C.

By:

3. J. Sadoff

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ATTY. DOCKET NO.

SERIAL NO.

620-451

10/589,872

APPLICANT

LONGBOTTOM ET AL.

FILING DATE

GROUP

August 18, 2006

Unknown

*EXAMINER	DOCUMENT NUMBER	DATE	. PATENT DOCUMENTS	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
INITIAL	US 2004/0164237	08/2004	Jones	CLASS	3000000	II ALLINOLINIALE
	US 5,376,555	12/1994	Forrester		<u> </u>	
	US 6,274,870	08/2001	Kubo			
	US 4,907,166	03/1990	Corenman			
	US 6,038,913	03/2000	Gustafsson		<u> </u>	
	US 5,070,245	12/1991	Rantala			
_	US 6,274,879	08/2001	Best-Timmann			
	US 5,770,793	06/1998	Stock			
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		08/2002	Carlebach		 	
	US 6,428,483 US 5,386,833	08/2002	Uhen		<u> </u>	
	US 2002/0007249	02/1993	Cranley		<u> </u>	
	US 6,358,215	03/2002	Ricciardelli			
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	US 5,838,008	11/1998	Esler		<u> </u>	-
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	US 6,099,480	08/2000	Gustafsson			
	US 5,731,581	03/1998	Fischer			
	US 6,010,459	01/2000	Silkoff	-		
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*Examiner	1		Date Considered			

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

Form PTO-FB-A820 (Also PTO-1449)

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INFORM	MATION DISCLOSU	SERIAL NO.							
INITOKI	CITATION	620-4	51	10/589,872					
		APPLICA	T 1						
		LONG	BOTTOM ET AL.						
(Use	several sheets if necessary)	FILING	DATE	GROUP					
		Augus	st 18, 2006	Unknown					
		U.S	. PATENT DOCUMENTS						
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS		OPRIATE		
	US 5,533,512	07/1996	Novotny						
	US 5,282,473	02/1994	Braig		· · ·				
	US 2002/0151814	10/2002	Payne						
		FORE	IGN PATENT DOCUMENT	rs					
							LATION		
	DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	YES	NO		
	GB-A-2295679	06/1996	Great Britain						
	GB-B-2347999	11/2001	Great Britain						
	EP-A-1206948	05/2002	Europe			X			
	EP-A-1378743	01/2004	Europe						
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	WO 98/39470	09/1998	WIPO						
	WO 98/57145	12/1998	WIPO				<u> </u>		
	WO 91/03727	03/1991	WIPO						
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			cluding Author, Title, Date	<u>, Pertinent pa</u>	ges, etc.	.)			
	Search Report for GB 0403612.5 dated 29 July 2004								
	VON BASUM et al, "Online recording of ethane traces in human breath via infrared laser								
	spectroscopy", J Appl Physiol 95: 2583-2590, 2003								
	DAHNKE et al, "Real-time monitoring of ethane in human breath using mid-infrared cavity leak-out								
	spectroscopy", Applied Physics B: Lasers and Optics, Volume 72, Number 8, June 2001, Pages 97-975								
	HERRIOT et al, "Folded optical delay lines",1965, Appl. Optics, 4, 883								
*Examiner			Date Considered						

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